

**Exhibit K**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**KEVIN WEBB, *et al.*,**  
***Plaintiffs,***

**v.**

**BRAD LIVINGSTON, *et al.*,**  
***Defendants.***

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**CIVIL ACTION NO. 6:13-cv-711**  
**CONSOLIDATED WITH**  
*Adams v. Livingston*, 6:13-cv-712  
*Togonidze v. Livingston*, 6:14-cv-93

**DEFENDANT UNIVERSITY OF TEXAS MEDICAL BRANCH'S  
RESPONSE TO PLAINTIFFS' MOTION FOR DISCOVERY SANCTIONS**

**EXHIBIT D**

**Affidavit of Robert Shaffer**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

KEVIN WEBB, *et al.*,  
*Plaintiffs,*

v.

BRAD LIVINGSTON, *et al.*,  
*Defendants.*

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CIVIL ACTION NO. 6:13-cv-711  
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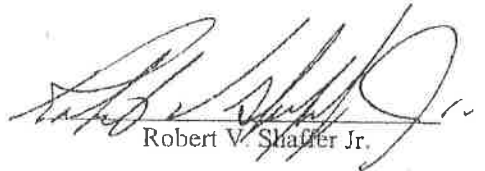
AFFIDAVIT OF ROBERT SHAFFER

COMES NOW Robert Shaffer, and upon oath and personal knowledge deposed, says  
thusly:

1. My name is Robert Shaffer. I am over eighteen years of age, of sound mind, have never been convicted of a felony or crime of moral turpitude, and am competent in all respects to make this affidavit. The facts stated herein are within my personal knowledge, based on information obtained from other persons, reasonable inquiry and the University of Texas Medical Branch at Galveston – Correctional Managed Care's business records, and are all true and correct.
2. I am the Director of Information Security for The University of Texas Medical Branch at Galveston's Department of Information Services. I have held this position since 2006. As the Director of Information Security, my job responsibilities include the development and enforcement of policies, procedures and practices; maintaining an up-to date information security program for UTMB; ensuring the confidentiality and integrity of all information resources; and overseeing the collection of electronically stored information for litigation purposes and Public Information Act requests.


3. A search is currently being conducted of all identified UTMB-CMC administration employees and unit employees emails for the following search terms: "Heat, heat stress, heat exhaustion, heat illness, heat-related illness, heat cramps, heat stroke, heat death, hyperthermia, hot temperatures, air conditioning, AC, heat restrictions, Larry McCollum, Douglas Hudson, Robert Webb, Alexander Togonidze, Michael Martone, Kenneth James, Rodney Adams, Albert Hinojosa."

4. This will involve searching the identified terms against each individual's Exchange email account and any Personal Storage Table (.pst) folders located on the network drive and their assigned computer. Due to the slow connection speed to the TDCJ Units and facilities, it is anticipated that this search will take approximately 90 days to complete.

  
Robert V. Shaffer Jr.

SWORN TO AND SUBSCRIBED before me on the 15<sup>th</sup> day <sup>May</sup>~~April~~, 2014.



  
Notary Public in and for the State of Texas